

## **REMARKS**

This Amendment is being filed in response to the Office Action mailed February 15, 2007. Claims 1-16 are currently pending in this present application. Claims 1-4 and 9-16 have been amended. In making these amendments, Applicants are not conceding that the claims as originally filed are not patentable over the cited art, as the present claim amendments are only for expediting prosecution. Applicants reserve the right to pursue the claims as originally filed and other claims in one or more continuation or divisional applications.

### **I. CLAIM REJECTIONS: 35 U.S.C. § 112**

Claims 3, 11, 12, 15 and 16 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. The Examiner maintains that claims 3, 11 and 15 each contain the trademark/trade name "Java 2 Enterprise Edition." The Examiner also maintains claims 12 and 16 both contain the limitation "EJB," and the claimed subject matter does not make it particularly clear the meaning of EJB.

In an effort to expedite prosecution, Applicants have amended the claims where appropriate to change "Java 2 Enterprise Edition" and "EJB" to --web based programming language--. The terminology "web based programming language" generically describes Java 2 Enterprise Edition and EJB. In view of this amendment, Applicants respectfully request that the rejections to claims 3, 11, 12, 15 and 16 be withdrawn.

### **II. CLAIM REJECTIONS: 35 U.S.C. § 102(e)**

Claims 1, 4-9, and 13 stand rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by U.S. Patent Application 2004/0059946 by Price.

Applicants respectfully traverse the 35 U.S.C. § 102(e) rejection of claims 1, 4-9, and 13, as set forth below. The following remarks are for independent claim 1 but apply by analogy, although not necessarily coextensively, to independent claims 9 and 13.

Amended Claim 1 now recites:

A system for providing context-based dynamic policy assignment in a distributed processing environment, comprising:

a first resource management host in communication with a client system via a distributed network architecture;

at least one application executable by said first resource management host;

a dynamic policy assignment system executing on said first resource management host;

a plurality of policies stored on said first resource management host, wherein at least one of the plurality of policies is associated with said client system, and a plurality of task names associated with a request to access an application are mapped to the plurality of policies; and

an application profile associated with said client system, said application profile received by said first resource management host in response to a request by said client system to receive application hosting services, said application hosting services including executing said at least one application on behalf of said client system;

wherein said dynamic policy assignment system performs:

receiving said request at said first resource management host;

based upon a profile ID and a task name associated with said application profile, selecting at least one of said plurality of policies for an application instance related to said request;

associating said at least one of said plurality of policies to said application instance;

executing said application on behalf of said client system; and

changing dynamically at least one of said plurality of policies for an application instanced based on a task name change. (emphasis added)

The Office Action asserts that Price teaches a system for providing context-based dynamic policy assignment in a distributed processing environment, wherein the dynamic policy assignment system performs: “based upon a profile ID and task name associated

with said application profile, selecting at least one of said plurality of policies for an application instance related to said request.” (citing page 2, paragraphs 0025-0026 of the O.A.) However, the paragraphs of Price cited by the Office Action state in part, “the terms `service_name`, `application_name` and `business_rule_name` identify a particular service 31, application 32 and business rule 33 for performing the request and the argument /value pairs may include user identification, data supplied with the request, and other information used in association with the request.” Price fails to disclose or suggest a plurality of policies stored on said first resource management host, wherein at least one of the plurality of policies is associated with said client system, and a plurality of task names associated with a request to access an application are mapped to the plurality of policies, as recited in claim 1.

Since Price fails to show all the features recited in claim 1, Price fails to anticipate claim 1. Accordingly, claim 1 is considered allowable over Price. Independent claims 9 and 13 recite similar features as claim 1 and are considered allowable for at least the same reasons.

Claims 2-8, 10-12, and 14-16 depend ultimately from claims 1, 9, and 13, respectively, and are considered allowable for at least the same reasons.

### **III. CLAIM REJECTIONS: 35 U.S.C. § 103(a)**

Claims 2, 10 and 14 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Price in view of U.S. Patent 7,076,562 by Singhal et al. (Singhal). Claims 3, 11 and 15 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Price in view of Singhal and further in view of Applicants’ alleged admitted prior art.

Singhal discloses an application intermediation gateway. Applicants’ alleged admitted prior art relates to a Java 2 Enterprise Edition environment. Nowhere in Singhal or in Applicants’ alleged admitted prior art is there a disclosure or suggestion of a plurality of policies stored on said first resource management host, wherein at least one of the plurality of policies is associated with said client system, and a plurality of task names associated with a request to access an application are mapped to the plurality of policies, as set forth in claim 1. Thus, Singhal and Applicants’ alleged admitted prior art fail to

make up for the deficiencies of Price. Accordingly, claims 2 and 3, which depend from claim 1, are considered allowable over any combination of Price, Singhal and Applicants' alleged admitted prior art.

Claims 9 and 13 recite similar features as claim 1. Therefore, claims 10-11 and 14-15, which respectively depend from claims 9 and 13, are considered allowable over any combination of Price, Singhal and Applicants' alleged admitted prior art.

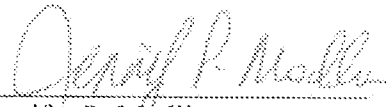
#### **IV. CONCLUSION**

In view of the above, it is respectfully submitted that this application is in condition for allowance. Accordingly, it is respectfully submitted that this application be allowed and that a Notice of Allowance be issued. If the Examiner believes that a telephone conference with the Applicants' attorneys would be advantageous to the disposition of this case, then the Examiner is encouraged to telephone the undersigned.

If there are any additional charges with respect to this Amendment or otherwise, please charge them to Deposit Account No. 09-0463.

Respectfully submitted,

CANTOR COLBURN LLP

By   
Jennifer P. Medlin  
Registration No.: 41,385

Date: May 15, 2007  
Telephone (404)-607-9991  
Facsimile (404)-607-9981  
Customer No.: 46429